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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/590,563	12/13/2007	Ian Donald	1600-19502	8541

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CONLEY ROSE, P.C.

David A. Rose

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SUITE 7100

HOUSTON, TX 77002

EXAMINER

BEACH, THOMAS A

ART UNIT

PAPER NUMBER

3671

MAIL DATE

DELIVERY MODE

08/31/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/590,563	Applicant(s) DONALD ET AL.	
	Examiner THOMAS A. BEACH	Art Unit 3671	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-10,12,14-18,24-29,32-39,43,46 and 49-71 is/are pending in the application.
- 4a) Of the above claim(s) See Continuation Sheet is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 56-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continuation of Disposition of Claims: Claims withdrawn from consideration are 1,2,4-10,12,14-18,24-29,32-39,43,46,49-55 and 64-71.

DETAILED ACTION

Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1, 2, 4-10, 12, 14-18, 24-29, 32-39, 43, 46, 49-55 drawn to apparatus connecting to a subsea wellbore, the apparatus having a manifold and choke body.

Group II, claim(s) 56-63, drawn to a production tree having a wing block, processing apparatus and utility skid.

Group III, claim(s) 64-71, drawn to an assembly for injection fluids (water, chemical, etc) injection with a single path injection flowpath extending through the chemical injection apparatus.

2. The groups of inventions listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

Group I does not require the wing block and utility skid of Group II or the chemical injection assembly of Group III; and Group II does not require the chemical injection assembly of Group III.

3. During a telephone conversation with David Rose on August 26, 2010 a provisional election was made without traverse to prosecute the invention of II, claims 56-63. Affirmation of this election must be made by applicant in replying to this Office

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action. Claims 1, 2, 4-10, 12, 14-18, 24-29, 32-39, 43, 46, 49-55 and 64-71 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Information Disclosure Statement

5. The information disclosure statement filed 06/23/09 appears to be a duplicate of the IDS filed 06/04/09 and therefore, has been lined through.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 61-63 are rejected under 35 U.S.C. 102(b) as being anticipated by Garnham et al 5,992,527 or Allen 6,484,807 or Hynes et al 4,478,287. Garnham, Allen, and Hynes show a production tree, having a tree body having a bore, a lateral production port extending from the bore, a tree cap and tree guide means; a utility skid

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tree support system (unnumbered frame & skid above element in fig 2; 200; 42 in fig 3A, respectively) having a wing block (29; 104; 30, respectively) and a utility skid with skid guide means; the wing block is mounted to the tree body below the tree cap and has a horizontal bore aligned with the lateral production port, and a vertical bore extending from the horizontal bore (29, fig -3, fig 3A, respectively); and the skid guide means being engageable with the tree guide means to locate and align the utility skid with respect to the tree body (fig 3; fig -3; fig 2, respectively).

As concerns claim 62, Garnham, Allen, and Hynes show a tab extends vertically downward from the utility skid and engages the vertical bore in the wing block (fig 3, fig -3, fig 2, respectively).

As concerns claim 63, Garnham, Allen, and Hynes show the wing block has a production wing valve (29, 112, 30, respectively) and the vertical bore is located horizontally closer to an end face of the wing block than to the tree body (fig 2-3, fig -3, fig 3A, respectively).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 56-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donald et al 7,111,168 in view of Fenton et al 6,460,621. Donald shows a production

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tree including: a tree body including a production bore and a lateral production port extending from the bore into a wing block 500 in a first flowpath; and a conduit system 542 that allows fluid communication in a second flowpath between the production bore, the processing apparatus 210, and the lateral production port (fig 24) but does not show a skid; however, Fenton shows a similar production tree system with a wing block and valve 53 (fig 1) landable on and supported by a tree with a utility skid 33 landable on and supportable by the tree, the skid including: a frame; where the processing apparatus 61 supportable by the frame.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Donaldson, as taught by Fenton, to include a removable skid with connections to for the expected benefit of accurately and easily changing out subsea processing equipment as modules, thereby saving time and expenses..

As concerns claim 57, the combination shows including a choke body attached to the tree wing block and including a bore, the conduit system allowing fluid communication between the choke body bore and the processing apparatus (Donaldson fig 24).

As concerns claim 58, the combination shows the conduit system allows fluid to be diverted from the first flowpath to the second flowpath (Donaldson fig 24).

As concerns claim 57, the combination shows the wing block has a production wing valve and the vertical bore is located horizontally closer to the opposite end face than to the tree body (Donaldson fig 24).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Beach whose telephone number is 571.272.6988. The examiner can normally be reached on Monday-Friday, 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Will can be reached on 571.272.6998. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Thomas A. Beach

/Thomas A Beach/

Primary Examiner, Art Unit 3671

August 30, 2010

THOMAS A. BEACH
Primary Examiner
Group 3600